

**U.S. BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: TIMOTHY COTTER : CHAPTER 13**  
**MELISSA COTTER :**  
**Debtor(s) : BANKRUPTCY NO. 17-13357**

## MOTION TO MODIFY CHAPTER 13 PLAN

Debtor(s), Timothy & Melissa Cotter, hereby move this Court to modify the Chapter 13 plan on the following grounds:

1. The Debtor filed a Chapter 13 bankruptcy on May 11, 2017.
2. The Debtor thereafter submitted their First Amended Chapter 13 Plan on November 8, 2017.
3. The above case was Confirmed on December 7, 2017.
4. On March 18, 2020, a Motion for Relief was filed by the debtor's mortgage company, Freedom Mortgage Corporation, alleging the debtors had fallen behind in post-petition payments with the lender.
5. The Motion for Relief was resolved via stipulation between the Debtor and Freedom Mortgage Corporation, which called for the debtor to modify their Chapter 13 Plan and to increase funding to repay the additional post-petition arrears that had become due.
6. Since the Motion for Relief was filed, the Debtors have experienced a financial hardship result of COVID-19. Specifically, both debtors were laid off in March of 2020 due to COVID-19.
7. Mr. Cotter has since returned to his job in construction, and Ms. Cotter began a new position with a different employer.
8. With their income back to normal, the Debtors now desires to extend the term of

their Chapter 13 Plan pursuant to 11 U.S.C. § 1329(d), which allows for their Confirmed chapter 13 plan to be modified and the term extended beyond the original five-year commitment period.

9. A copy of the proposed Second Amended Chapter 13 Plan is attached hereto as Exhibit A. The proposed plan is 80 months in length, and does not reduce funding to any creditors.

10. Debtor believes no parties shall be aggrieved upon the granting of this Motion.

WHEREFORE, the Debtors request that this Court allow debtors to Modify the plan and file a Second Amended Plan.

Respectfully submitted,

YOUNG, MARR & ASSOCIATES

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